

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 23-60378-CIV-WPD

LEONARDO SILVA OLIVEIRA,

Plaintiff,

vs.

CITY OF COCONUT CREEK, GREGORY TONY,  
as Sheriff of Broward County; FLORIDA DEPARTMENT  
OF CORRECTIONS, SGT FRANCIS MCMANUS,  
PROBATION OFFICER KATHY NORTON, and OTHER  
OFFICERS, DEPUTIES, and/or OTHER EMPLOYEES, individually,

Defendants.

---

**JOINT SCHEDULING REPORT**

Pursuant to Federal Rule of Civil Procedure 26(f) and Southern District of Florida Local Rule 16.1, the Parties, Plaintiff, LEONARDO SILVA OLIVEIRA, (hereinafter, the “Plaintiff”), and Defendants, CITY OF COCONUT CREEK, GREGORY TONY, as Sheriff of Broward County, FLORIDA DEPARTMENT OF CORRECTIONS, SGT. FRANCIS MCMANUS, PROBATION OFFICER KATHY NORTON, and OTHER OFFICERS, DEPUTIES and/or OTHER EMPLOYEES, individually, jointly submit this Joint Scheduling Report.

**(a) Discovery Report; Detailed Schedule of Discovery:**

The Parties have conferred in good faith to develop a proposed discovery plan considering those matters set forth in Federal Rule of Civil Procedure 26(f)(1-4) (hereinafter, “Party Conference”). The Parties have agreed that initial disclosures will be made within thirty (30) days of the Party Conference, and the Parties have also developed a detailed schedule of discovery. In addition, the Parties request to be placed on a STANDARD TRACK and intend to complete discovery by **September 5, 2024**.

(b) **Likelihood of Settlement:**

At this point, the Parties have not reached a settlement in this case. However, the Parties will discuss settlement throughout this case in good faith and will inform the Court if any settlement is reached as required by the Court's rules.

(c) **Likelihood of Appearance in this Action of Additional Parties:**

At this time, neither Party anticipates joining additional Parties.

(d) **Proposed Limits on Time:**

1. **Joinder of Parties and Amendment of Pleadings:** The Parties request that any motions to join additional parties, if any, and any motions to amend the pleadings be filed no later than **February 5, 2024**.

2. **File and Hear Motions:** The Parties request that the Court enter an Order that requires dispositive motions (i.e., motions for judgment on the pleadings, motions for summary judgment, and *Daubert* motions) to be filed by **September 19, 2024**. The Parties further request that the Court enter an Order that requires all pretrial motions and memorandum of law (i.e., motions in limine) to be filed by **September 12, 2024**.

3. **Complete Discovery:** The Parties request that the Court allow the parties until **September 5, 2024**, to conduct and complete all fact discovery.

4. **Expert Discovery:** By **May 6, 2024**, Plaintiff shall disclose the identity of his expert witness(es) and shall produce any expert report(s) required by Fed. R. Civ. P. 26(a)(2). By **May 20, 2024**, Defendants shall disclose the identity of their expert witness(es) and shall produce any expert report(s) required by Fed. R. Civ. P. 26(a)(2). By **June 11, 2024**, the Parties shall disclose the identity of their rebuttal expert witness(es) and exchange rebuttal expert reports required by Fed. R. Civ. P. 26(a)(2). All expert discovery shall be completed by **September 5, 2024**.

5. Witness List: By **April 15 2024**, the Parties shall disclose the identity (i.e., names and addresses) of all fact witnesses intended to be called at trial.

6. Mediation: By **January 22, 2024**, the Parties shall select a mediator pursuant to Local Rule 16.2 and schedule a time, date and place for mediation. Mediation shall be completed by **September 30, 2024**.

7. The Parties shall file a joint pretrial stipulation, proposed joint jury instructions, proposed joint verdict form, and/or proposed findings of fact and conclusions of law by **November 20, 2024**.

8. Electronic versions of documentary exhibits and Certificates of Compliance regarding Admitted Evidence shall be filed on CM/ECF by **November 13, 2024**.

**(e) Proposals for Formulation and Simplification of Issues:**

The Parties have no proposals for the formulation or simplification of issues at this time. The Parties will continue to assess the viability of claims and defenses as discovery progresses and will provide notice to the Court of any proposals that arise.

**(f) Amendments to the Pleadings:**

It is unknown at this time whether any amendments will be necessary, but the Parties reserve the right to make any amendments as required pursuant to the limitations imposed by the Federal Rules of Civil Procedure.

**(g) Admissions of Fact and Documents:**

The Parties have not agreed at this time to any admissions of facts or documents. However, the Parties will continue to discuss these issues as discovery progresses and will provide notice to the Court of any proposals that arise out of these discussions.

**(h) Avoidance of Unnecessary Proof and of Cumulative Evidence:**

The Parties have no proposals at this time for the avoidance of unnecessary proof or of cumulative evidence. However, the Parties will continue to discuss proposals for the avoidance of unnecessary proof or of cumulative evidence and will provide notice to the Court of any agreements that arise out of these discussions.

**(i) Advisability of Referring Matters to a Magistrate Judge or Master:**

The Parties do not agree to have a Magistrate Judge decide Motions for costs, attorney's fees, sanctions, dismissal and summary judgment, as well as issue a final order or judgment with respect thereto, at this time.

**(j) Preliminary Estimate of the Time Required for Trial:**

The Parties estimate that this case will take approximately **two (2) to three (3)** days.

**(k) Requested Dates for Conferences Before Trial, Final Pretrial Conference and Trial:**

The Parties request that the Pretrial Conference be held after **November 20, 2024**, and that trial be after **January 29, 2025**.

**(l) Other Matters:**

None at this time.

**(m) Is trial jury or non jury?:**

Jury.

**(n) Need For Variance From Discovery Limitations:**

No.

Respectfully submitted,

**WHITELOCK & ASSOCIATES, P.A.**  
300 Southeast Thirteenth Street  
Fort Lauderdale, Florida 33316  
Telephone: (954) 463-2001  
Email: [cjw@whitelocklegal.com](mailto:cjw@whitelocklegal.com)  
[mac@whitelocklegal.com](mailto:mac@whitelocklegal.com)  
*Counsel for Defendant, FDOC & Norton*

*s/ Christopher J. Whitelock*  
CHRISTOPHER J. WHITELOCK, ESQ.  
Florida Bar No.: 0067539  
MEREDITH A. CHAIKEN, ESQ.  
Florida Bar No.87927

**JOHNSON, ANSELMO, MURDOCH, BURKE  
PIPER & HOCHMAN, P.A.**  
2455 E. Sunrise Blvd., #1000  
Fort Lauderdale, FL 33304  
Telephone: (954) 463-0100  
Email: [piper@jambg.com](mailto:piper@jambg.com)  
[andrews@jambg.com](mailto:andrews@jambg.com)  
[stearns@jambg.com](mailto:stearns@jambg.com)  
[Cintron@jambg.com](mailto:Cintron@jambg.com)  
[young@jambg.com](mailto:young@jambg.com)  
*Counsel for Defendant, Gregory Tony*

*s/Michael R. Piper*  
MICHAEL R. PIPER, ESQ.  
Florida Bar No. 710105  
CHRISTOPHER J. STEARNS, ESQ.  
Florida Bar No. 557870

**FUENTES BERRIO SCHUTT**  
709 East Hillsboro Blvd.  
Deerfield Beach, Florida 33441  
Telephone: (954) 752-1110  
Email: [mike@fuentesberrio.com](mailto:mike@fuentesberrio.com)  
[pleadings@fuentesberrio.com](mailto:pleadings@fuentesberrio.com)  
[litigation@fuentesberrio.com](mailto:litigation@fuentesberrio.com)  
[paralegal@fuentesberrio.com](mailto:paralegal@fuentesberrio.com)  
*Counsel for Plaintiff*

*s/Michael D. Schutt*  
MICHAEL D. SCHUTT, ESQ.  
Florida Bar No. 539511

**LLOPIZ WIZEL, LLP**  
1451 W. Cypress Creek Road, #300  
Fort Lauderdale, Florida 33309  
Telephone: (754) 312-7389  
Email: [jcw@l-wfirm.com](mailto:jcw@l-wfirm.com)  
[admin@l-wfirm.com](mailto:admin@l-wfirm.com)  
[ol@l-wfirm.com](mailto:ol@l-wfirm.com)  
[gb@l-wfirm.com](mailto:gb@l-wfirm.com)  
*Counsel for Coconut Creek and  
Sgt. Francis McManus*

*s/Joan Carlos Wizel*  
JOAN CARLOS WIZEL, ESQ.  
Florida Bar No. 37903  
ONIER LLOPIZ, ESQ.  
Florida Bar No. 579475